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## New Jersey Office of the Attorney General

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### **\*NEW JERSEY CEMETERY BOARD\***

### **PUBLIC SESSION MINUTES**

**APRIL 14, 2011**

A regular meeting of the New Jersey Cemetery Board was held at 124 Halsey Street, Newark, NJ, on the sixth floor, on Thursday, April 14, 2011. The meeting was convened in accordance with the schedule filed with the Secretary of State and was conducted in accordance with the provisions of the Open Public Meeting Act, Chapter 321, P.L. Notice of the meeting was prepared in the office of the Board and mailed on September 2, 2010 to the Secretary of State, the Attorney General, the Star Ledger, the Record, the Press of Atlantic City, the Asbury Park Press and the Trenton Times. Board Chair William Nichols called the meeting to order at 9:30 A.M. A roll call was taken and the following attendance of Board members was recorded for these minutes:

Lawrence Colasurdo	Present
Paul M. Desbiens	Present
Waheed Khalid	Present
June Nikola	Present
William Nichols	Present
Jeffrey S. Kasko	Present
Michael Ticktin	Present

Also, in attendance were: Dianne L. Tamaroglio, Executive Director, New Jersey Cemetery Board; Deputy Attorney General John Hugelmeyer; and Ellen Green, Board Secretary.

#### **I. APPROVAL OF PUBLIC SESSION MEETING MINUTES OF MARCH 10, 2011**

A motion was made by Lawrence Colasurdo and seconded by Paul Desbiens to approve the Public Session Meeting Minutes of March 10, 2011 as corrected. A vote was taken and the motion was passed by a unanimous vote.

#### **II. OLD BUSINESS**

##### **A. Hoboken Cemetery (CA #183)**

This matter will be carried over pending notification of the establishment of a Board of Trustees for the cemetery.

**B. Withdrawal of money from the principal of the Trust Fund**  
**Re: Jersey State Memorial Park**

**Waheed Khalid was recused from this matter and moved away from the table.**

George Booktor, Board Accountant conducted an audit of Jersey State Memorial Park's annual reports from 2004 to present. As a result of said audit it was determined that a total of \$32,500.00 had been withdrawn from the corpus of the cemetery's Trust Fund. Upon review of the audit of the Annual Reports a motion was made by Paul Desbiens and seconded by Lawrence Colasurdo to authorize Deputy Attorney General John Hugelmeyer to draft a Provisional Order of Discipline to Jersey State Memorial Park requiring Anthony Sparno, President to replace the \$32,500.00 back into the corpus of the Trust Fund. This matter will be carried over.

**C. Problems in filing of Annual Reports**  
**Re: Jacobstown Baptist Cemetery Association (CA #150)**

The Board is in receipt of Jacobstown Baptist Cemetery Association's bank statements for the years 2007-2009 as well as that for 2010. Following review it was decided by the Board to ask George Booktor, Board Accountant to arrange a meeting with Dr. Meirs, II, President of Jacobstown Baptist Cemetery to review with him the proper way to complete the Maintenance and Preservation Reports. Mr. Booktor will set up that meeting. This matter will be carried over.

**D. Withdrawal from the Maintenance & Preservation Trust Fund**  
**Re: Greenville Cemetery Association (CA #282)**

Greenville Cemetery Association was instructed by the Board that the money it withdrew from the corpus of the Trust Fund must be re-deposited to the Trust. The cemetery was also asked to provide to the Board a plan to re-pay the \$4,561.00 to the Fund. Ronald Vogel, Treasurer, Greenville Cemetery Association responded to the Board advising that \$4000.00 has been deposited back into the corpus of the Trust Fund enclosing a copy of the receipt. Mr. Vogel also advised the Board that the cemetery will attempt to re-deposit the balance of the money as soon as possible. Upon review a motion was made by June Nikola and seconded by Michael Ticktin to advise Mr. Vogel that if at all possible the balance should be deposited by the end of the cemetery's Fiscal Year, June 30, 2011. A vote was taken and the motion was passed by a unanimous vote. In the event that the cemetery feels that this will be a financial hardship Mr. Vogel should write to the Board with an explanation of such. This matter will be carried over.

**E. Correspondence from Peter J. Van Dyke, Esquire**  
**Re: Riverside Cemetery (CA #43)**

The Board had asked Mr. Van Dyke and members of Riverside Cemetery's Board of Trustees to come to today's Board meeting to discuss the cemetery's options with regard to dissolution and the responsibilities of the Trustees. Mr. Van Dyke has responded to the Board advising that he would not be able to attend but will be in attendance at the June 9<sup>th</sup> Board meeting. This matter will be carried over.

**F. Mercer Cemetery (CA #266)**

*Former Board member Genevive Raganelli has advised Executive Director Dianne Tamaroglio that she has been advised by Edward Mazzeo Chief, Mercer County Veterans Services that the Board of Trustees for Mercer Cemetery is now in full force. There are at this time four trustees; they are: Mr. Mazzeo appointed by Mercer County Executive; Jim Willis appointed by the Mercer County Veterans Council; David Potts, who's family are plot owners; and David Letcher, appointed by the Trenton Lions Club. All financial holdings have been transferred to the Board. The cemetery appears to be up and running. Good news!!*

**III. NEW BUSINESS**

**A. Cancellation of the May 12, 2011 Board Meeting**

*Executive Director Dianne Tamaroglio advised that the New Jersey Cemetery Association's Annual Convention is being held the same week as the May 12, 2011 Cemetery Board meeting. With Board Vice Chair Paul Desbiens and Board member June Nikola attending the Convention and Board Chair William Nichols being out of the country, there will not be a quorum for the Board meeting. Using his statutory authority Board Chair William Nichols called for the meeting to be adjourned.*

**IV. FOR YOUR INFORMATION**

**A. Notification of Civil Actions**

*Fairview Mausoleum Co., (CA #268) et al. v PNC Bank, N.A., et als.  
Docket No. BER-L-10286-10*

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Docket No. BER-L-10286-10*

*Fairview Mausoleum Co., (CA #268) et al. v PNC Bank, N.A.  
Docket No.: BER-L-10285-10*

*Fairview Mausoleum Co., (CA #268) et als. v PNC Bank, N.A.  
Docket No.:0 BER-L-10286-10*

*Dominick DiBerardino, A Minor, By and through his Guardian As Litems, and natural parents, Karyn and Frank DiBerardino, Karyn DiBerardino and Frank DiBerardino, individually, Plaintiffs v Laurel Grove Cemetery Association (CA #30), and/or XYZ Corp., a fictitious name, John or Jane Does, 1, 2, and 3, fictitious names or unknown individuals, and/or ABC Corp., a fictitious name, Defendant*

*Ny San Qing Dao Jiao Xie Hui, Inc. and/or Dao Jiao Vie Huj, Inc. V Washington Cemetery Association (CA #209)*

**B. Newspaper, Internet, Journal Articles**

**Deadly serious matters  
New Jersey Jewish Standard**

**March 17, 2011**

*The writer of this article states that New Jersey lacks effective regulations of its cemeteries. He further states that the New Jersey Cemetery Board does a poor job of regulating the state's cemeteries. Board Chair William Nichols took umbrage to this article and wanted it on the record.*

**Mount Eden Cemetery directors accused of misusing millions in cemetery assets  
LoHud.com**

**March 30, 2011**

*With the exception of the Deadly serious matters article, the above matters were considered informational for the Board requiring no discussion or decision making.*

**V. PUBLIC COMMENT**

*No public comments were made at today's meeting.*

**VI. ADJOURNMENT**

*A motion was made by Michael Ticktin and seconded by Paul Desbiens to adjourn Public Session at 10:00 A.M. and move into Executive Session at 10:10 A.M.. A vote was taken and the motion was passed by a unanimous vote. The Board moved into Executive Session to discuss the following matters involving investigations and/or violations of the Board's regulations:*

- 1. Six (6) new matters or complaints filed with the Board which required review and recommendations in regard to investigation and/or actions; and*
- 2. Eight (8) matters where additional information has been submitted to the Board pending investigations.*

*The substance of these investigations shall remain confidential until disclosure is permitted by law. Board action arising from such discussions will be made public at such time official action is taken on these matters, if permitted by law. A motion was made by Lawrence Colasurdo and seconded by Michael Ticktin to adjourn the Board meeting of April 14, 2011. A vote was taken and the Board meeting was adjourned at 11:20 P.M.*

*Respectfully Submitted,*

*Dianne L. Tamaroglio  
Executive Director*